

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILED

for the

SEP 29 2014

Southern District of Texas

United States of America)

v.)

Case No.

m-14-1902-m

Clerk of Court

ANDERSON, Richard / YOB:1977)

U.S. Citizen)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 9/27/2014 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841 (a) (1)

Knowingly and intentionally
possess, with intent to
distribute approx. 153 kgs of
marijuana, a Schedule I
controlled Substance under the
Controlled Substance Act

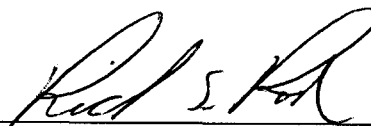
This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

☒ Continued on the attached sheet.

AUSA

Sworn to before me and signed in my presence.

Date: 9/29/2014City and state: McAllen, Texas

Complainant's signature

Richard S. Rodriguez, Special Agent, DEA

Printed name and title



Judge's signature

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

Attachment

On September 27, 2014, USBP BPA Serge Mihailitchenko, BPA J. Woods, BPA M. Trevino and BPA J. Hernandez, were assigned to line watch duties near Roma, Texas. At approximately 1:00 PM, Agents responded to sensor activity in the area of Fronton, Texas. Approximately 1/2-mile south of U.S. Highway 83, on FM 650, BPA Mihailitchenko observed a suspicious silver-colored Ford Focus traveling north from that location. BPA Mihailitchenko noticed the driver was rigid and appeared nervous, and that the rear portion of the vehicle was riding low to the ground. Based on his observance, BPA Mihailitchenko initiated a vehicle stop for an immigration check. BPA Mihailitchenko activated his emergency lights and the vehicle pulled over near the intersection of FM 650 and U.S. Highway 83 in Roma, Texas. As BPA Mihailitchenko approached the vehicle, BPA Mihailitchenko immediately noticed bundles of what appeared to be narcotics in plain view, throughout the vehicle's rear interior. BPA Mihailitchenko immediately ordered the driver, later identified as Richard ANDERSON, out of the vehicle and placed driver under arrest. A further inspection of the vehicle was conducted and revealed more bundles of what appeared to be marijuana, inside the trunk of the vehicle. ANDERSON was read his Miranda Rights. No additional contraband or subjects were recovered by Agents after a thorough search of the area. The narcotics, ANDERSON, and the vehicle were transported to the Rio Grande City Border Patrol Station for processing and storage. In total, 15 packages of marijuana wrapped in brown packaging tape, weighing approximately 153 kilograms were seized from the vehicle.

DEA Task Force Officer Israel Trevino and Special Agent Richard S. Rodriguez responded to the USBP Rio Grande City Station to interview ANDERSON. SA Rodriguez read ANDERSON his Miranda Rights in the English language, as witnessed by TFO Trevino, and ANDERSON agreed to answer questions. ANDERSON stated that he was called at approximately 12:00pm by a Mario LNU. Mario LNU asked ANDERSON if he would help him (Mario LNU) work, because he (Mario LNU) was desperate. ANDERSON agreed to assist MARIO LNU and stated to Agents that helping Mario LNU meant driving a load of marijuana from the Rio Grande River area to a yet undetermined location. Agents asked ANDERSON if he (ANDERSON) ever drove cocaine loads for Mario LNU. ANDERSON stated to Agents that he only drove loads of marijuana for Mario LNU. ANDERSON stated to Agents that the amount of marijuana he was arrested with was only supposed to be 150 pounds, and that this was to be the first of two loads. ANDERSON stated that Mario LNU was to pay him a total of \$1,500.00 for both loads, but only after the second load was delivered.

ANDERSON stated that on this occasion, he drove his mother's car South on FM 650 and stopped approximately a 1/2 mile north of the Rio Grande River. Once stationary, several unknown individuals ran from the nearby vegetation and began loading marijuana bundles into his vehicle. After the marijuana was loaded, ANDERSON began driving north on FM 650, when he immediately noticed two USBP units passing him by South on FM 650. Moments later, ANDERSON observed a third USBP Unit pass him by and immediately turn-around. As the

USBP unit approached from behind, with its emergency lights, ANDERSON stated he (ANDERSON) pulled to the side of the road where he was subsequently arrested by USBP Agent.